REMARKS/ARGUMENTS

Claims 71 and 77 are amended, claim 76 is canceled, and claim 110 is new. Claims 71-75, 77-88, and 102-110 are now pending in the application. (Claims 89-101 were previously canceled.) Applicants respectfully request reexamination and reconsideration of the application.

Claims 71-88 and 102-109 were rejected under 35 USC 102(b) as anticipated by US Patent No. 3,634,807 to Muenchen ("Muenchen"). Applicants respectfully traverse this rejection.

In rejecting claim 71, the PTO stated that "Muenchen discloses in Figure 1 a plurality of substrates conforming to the shape of substrate 3." The PTO thus equated Muenchen's wiring board 3 with the device(s) to be tested in claim 71. Moreover, the only substrates in Muenchen that conform to wiring board 3 are the flexible sheets 8. The PTO thus necessarily also equated one of Muenchen's flexible sheets 8 with the first substrate recited in claim 71.

In addition, in rejecting claim 76—which prior to this amendment, included the recitation "without contacting said one or more devices to be tested"—the PTO stated that "sheet 8 [of Muenchen] can be adjusted by the user's finger without contacting the devices." As discussed above, the PTO equated Muenchen's wiring board 3 with the device(s) to be tested in the claims. Thus, in rejecting claim 76, the PTO concluded that the sheet 8 of Muenchen can be adjusted by the user's finger without the sheet 8 contacting the wiring board 3.

Claim 71 recites, however, more than merely adjusting the first substrate: claim 71 recites adjusting the first substrate ***to conform a planarity of probes on the first substrate to a planarity of terminals on a device or devices to be tested***. This is because the "adjusting a shape of a surface of a first of said substrates . . ." is a substep in the step of "adjusting a planarity of contact portions of said probes to correspond to a planarity of said terminals." Whether Muenchen's flexible sheet 8 is pressed by a microassembly 1 and fastening element 4, by a user's finger, or by any other means, the only possible way that a planarity of the contact elements 7 of the flexible sheet 8 can conform to a planarity of the contacts 6 on the wiring board 3 is if the sheet 8 is pressed against the wiring board 3. In fact, the only way that the contact elements 7 of Muenchen's flexible sheet 8 can conform to any other device is by being pressed against the other device. There is thus simply no way that Muenchen can meet the recitation in claim 71 that the step of "adjusting a planarity of contact portions of said probes to correspond to a planarity of said terminals" comprise "adjusting a shape of a surface of a first of said substrates

without contacting said one or more devices to be tested." For this reason alone, Muenchen does not anticipate claim 71.

Moreover, there is no teaching or suggestion in Muenchen that a person press his or her finger against sheet 8, and in fact, there would be no purpose in doing so. Therefore Muenchen does not teach or suggest that a user press his or her finger against the flexible sheets 8 much less that the user press his or her finger against a flexible sheet 8 to adjust the planarity of the contact elements 7. For this additional reason, Muenchen does not anticipate claim 71.

Claims 72-75, 77-88, and 102-110 depend from claim 71 and are therefore patentable over Muenchen at least because of their dependency from claim 71. Moreover, claims 72-75, 77-88, and 102-110 recite additional features not taught or suggested by Muenchen.

For example, several claims—including claims 73 and 74—recite applying a pull force to the first substrate. As discussed above, the PTO equated one of the flexible sheets 8 with the first substrate of claims 73 and 74. The only method of applying a force to sheet 8 disclosed in Muenchen, however, is to sandwich the sheet 8 between the microassembly 1 and the wiring board 3, which can apply only forces that push against the sheet 8. That is, sandwiching sheet 8 between the microassembly 1 and the wiring board 3 can cause contacts 7 on the wiring board 3 to push against one side of sheet 8 and contacts 5 on microassembly 1 to push against the opposite side of sheet 8, but merely sandwiching sheet 8 between the microassembly 1 and the wiring board 3 will not result in any force that pulls on sheet 8. Thus, Muenchen does not teach or suggest applying pulling force to sheet 8. Therefore, claims 73 and 74 further distinguish over Muenchen.

As another example, several claims—including claims 78-84, 102, and 103—recite actuators. A person's finger—which is the only thing identified by the PTO as meeting the requirement that the shape of the first substrate be adjusted without contacting the device(s) to be tested—is not an actuator. Therefore, claims 78-84, 102, and 013 further distinguish over Muenchen.

For all of the above reasons, Applicants respectfully assert that all of the claims are in condition for allowance. Applicants therefore request withdrawal of the rejection and allowance of the application. If at any time the Examiner believes that a discussion with Applicants' attorney would be helpful, the Examiner is invited to contact the undersigned at (801) 323-5934.

Respectfully submitted,

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